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SENSITIVE
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TAGS: [PGOV](#) [PREL](#) [SOCI](#) [ID](#)
SUBJECT: ACEH'S NEW SHARIA LAW DISTURBING BUT NOT ENFORCEABLE

REFERENCES: A. 1533
[1](#)B. 1569

[1](#)1. (U) This cable is Sensitive but Unclassified. Please handle accordingly. This message was coordinated with Embassy Jakarta.

[1](#)2. (SBU) Summary. The September 14, 2009 local Sharia law passed by Aceh Provincial Parliament (DPRA) imposing stoning for adultery is highly unlikely to ever be implemented, even its proponents admit. However, the new DPRA leadership and the Aceh Governor, who oppose the law, are very concerned over how this law will tarnish Aceh's international image, hurting tourism and investment. The law is so vague that no one clearly understands its intent. The newly-elected Parliament stated it intends to revise the controversial law. Meanwhile, the coronation of an Acehnese woman as Miss Indonesia has created a tempest in a teapot, and the head of one Acehnese district has outlawed women wearing pants and tight dresses. End Summary.

[1](#)3. (SBU) Aceh's lameduck provincial Parliament, in a final act of political opportunism before most lawmakers were swept out of office, saddled the newly-elected legislature with a provincial Sharia law mandating death by stoning for adulterers (reftels). The new law also imposes steep prison terms and public caning for homosexual acts, rape, and pedophilia. Many believe the outgoing lawmakers wanted to hamstring the incoming Parliament, which is controlled by the secular Aceh Party (PA), the party of former separatists. Two Muslim-oriented parties, Social Justice Party (PKS) and United Development Party (PPP) spearheaded the law. However, even PKS lawmakers told ConGen Medan that they never intended for the law to be implemented, but rather the law will help to discourage adultery just by sending a message. PKS leaders said Sharia law until now has done nothing to discourage vice so a stronger signal was needed.

[1](#)4. (SBU) Indeed, none of the authoritative figures we spoke with from a wide spectrum of Acehnese society believed the law would ever be used. According to a leading Acehnese Sharia scholar who drafted Aceh's original Sharia laws, the requirement for four witnesses of high moral authority catching adulterers in the act makes the law impossible to enforce. He told ConGen that he and other Muslim scholars told DPRA they opposed the law, and were surprised when it was passed.

[1](#)5. (SBU) Governor Irwandi Yusuf has publicly stated he will never enforce the law. While the law was supposed to go into effect automatically 30 days after passage, even without the Governor's signature, Irwandi told ConGen because the executive branch was

never consulted on the law, it cannot take effect without his signature. Others authorities believe the law took effect on October 14 even without the Governor's signature but said without executive branch enforcement, it will never be carried out.

¶16. (SBU) Aceh Party has publicly opposed the law and pledged DPRA would revise it. The stoning law "is still controversial and the Acehnese people are not ready for it," DPRA Chair Hasbi Abdullah said. Hasbi told ConGen that he is very concerned that the law will tarnish Aceh's international image at a time when it is recovering from years of conflict, worried it will scare away investors and tourists. Irwandi expressed the same concerns, adding that the law could be misused for personal retribution. ConGen told PKS, the media and other interlocutors that such a law does scare tourists and investors and is not good for Aceh's development, and no one seemed to disagree. Our comments were reported in Acehnese media. Per reftels, Embassy Jakarta officials have also raised concerns regarding the implications of this new regulation at the national level.

¶17. (SBU) A prominent Acehnese female human rights leader with the NGO Kontras told ConGen that she is not so concerned about the law being used as she is by the precedent it sets. The fact that DPRA could pass such a half-baked law with no consideration for its implications is disturbing. Since a Sharia law cannot be revised until a year after it has passed, this law will distract DPRA from more pressing issues, she added. Furthermore, the law creates a tone of intolerance in society, encouraging citizens to impose their own moral authority on others.

¶18. (SBU) Another hot moral issue in Aceh has been the recent

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coronation of a free-spirited Acehnese woman, Qory Sandioriva, as Miss Indonesia. While the national media has played up the controversy as revolving around her refusal to wear a head scarf (jilbab), many Acehnese told ConGen the real issue is that she claims to represent Aceh. They complain that Qory spent almost her entire life in Jakarta. People also said the head scarf is not as issue so much as the swimsuit contest. Acehnese have not traditionally covered their heads and rural women still do not.

¶19. (SBU) Adding further to the perception of religious intolerance in Aceh, on October 26 the head of the West Aceh District government announced that he was outlawing women wearing pants or tight dresses, unless the pants are worn under an ankle-length loose-fitting dress. Regent Ramli M.S. also banned sale of such clothing. Men are banned from wearing shorts above the knees. According to the new regulation, tight clothing will be cut off with scissors by religious police and the violators will be issued a proper dress.

¶10. (SBU) These Acehnese laws reflect how a conservative minority has highjacked the agenda in Aceh, which is one of Indonesia's more traditional societies but overwhelmingly tolerant nevertheless. The Aceh Party-led government is likely to reverse such laws but will need to do so carefully to avoid ire of the handful of fanatics pushing for these laws.

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